EXPLANATION OF

05

# فروع الفقه

## Ibn Al-Mibrad

Shaykh Ahmad Musā Jibrīl

May Allah (سبحانه و تعلى) ease the affairs of the Shaykh, preserve him, love him, and safeguard him from all harm. May He (سبحانه و تعلى) keep him sincere and continue to shower his life and da'wah with His blessings and allow the Muslims to benefit from his da'wah until the Day of Judgement. May Allah make all his efforts weigh heavy on his scales, and make it an immense Sadaqah Jāriyah for him, his parents, and his family. May Allah facilitate the completion of this Sharh, and shower him with His aid always and forever.

SH_AHMAD_JIBRIL

SHAYKH_AHMAD_JIBRIL

T.ME/AHMAD_MUSA_JIBRIL

SHAYKH AHMAD MUSĀ JIBRĪL

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بسم الله الرحمان الرحيم

الحمد لله حمداً كثيراً طيباً مباركاً فيه، كما يحب ربنا و يرضى ، و أشهد أن لا إلٰه الا الله وحده لا شريك له و أشهد أن محمداً عبده و رسوله صلى الله و سلم و بارك عليه و على آله و أصحابه و من اهتدا بهداهم إلى يوم الدين، أما بعد

*In the name of Allah, the Most Beneficent, the Most Merciful. All praise is due to Allah, an abundance of good and blessed praise, just as our Lord is pleased with and loves. And I testify that there is no god worthy of worship but Allah Alone with no partner, and I testify that Muhammad is His slave and Messenger, may the peace and blessings of Allah be upon him and his companions and whoever is guided through them until the Day of Recompense.*

We left off talking about the sub-categories of Tahārah, which were either three or four, based on what we mentioned in the class before the last one. And under Tahārah we reached the substance used for Tahārah, which is either water for Wudū' and Ghusl, or soil for Tayyamum. We left off mentioning some Masā'il – which means some issues pertaining to Tayyamum. We will continue with the essential Masā'il pertaining to Tayyamum which are essential, contemporary, and recurring.

One of the Masā'il that's mentioned is, can one perform Tayyamum to spare the Salāh's timing if there's only a few minutes for Salāh? Visualize the Mas'alah: Sunrise today was around 7:40, someone woke up 7:35. They need to do either Ghusl or Wudū'. If they do either of that they'll miss the timing of the Salāh. Should they just do a quick Tayyamum and perform the Salāh, to catch its proper timing – or – must they do a full Ghusl and Wudū' which will end up causing them to miss the timing of the Salāh? There's two opinions on this matter.

The first opinion is you can perform Tayyamum if you fear the timing of the Salāh will be missed. That's according to the Madhhab of Mālikiyyah, some of the Hanafiyyah, and one of the two opinions of the Hanābilah. Ibn Tayimiyyah (رحمه الله تعالى) actually adopted this opinion. And that is that one can do Tayyamum to spare the timing of the Salāh.

The second opinion is you must perform Wudū' or Ghusl, even if you're going to miss the timing of the Salāh. This is the opinion of the overwhelming majority of the 'Ulamā' from the Hanafiyyah, Shāfi'īyyah, and Hanābilah, and a second opinion by the Mālikiyyah.

## سبب الخلاف

*What's the reason for the dispute in this matter?*

The reason is, what's more essential for Salāh? What's given precedence? Is Tahārah given precedence over the timing of the Salāh? Or is the timing of the Salāh more essential? The first opinion said the timing of the Salāh is given precedence over Tahārah and Wudū' and Ghusl for Salāh. The second opinion said that Tahārah is given precedence over the timing of the Salāh. The first group who allowed Tayyamum to avoid missing the time of the Salāh gave some rationales, which are like proofs or points.

The first opinion is the group that said if one is about to miss the Salāh he can do Tayyamum to avoid missing the Salāh if his Wudū' or Ghusl will cause him to miss the Salāh. First of all they said, the one who's going to miss the Salāh is similar to an ill person who performs Tayyamum. They said an ill person does not delay Salāh to recover. He prays sitting, prays laying down, whatever status he's able to with Tayyamum to preserve the timing of the Salāh. They said Sharī'ah could have ordered him to delay his Salāh until he recovers. And by doing that, he will be missing the timing of the Salāh. But he was ordered to perform the Salāh in whatever status he's able to, including Tayyamum, to avoid missing the timing of the Salāh – and they said the same applies here. One shouldn't miss the Salāh for Wudū', rather he should do a quick Tayyamum to avoid missing the timing of the Salāh. They compared one about to miss Salāh due to Wudū' or Ghusl to one who's ill. One who's ill prays on whatever status he's on in the timing of the Salāh, and they said the same should apply to one who's about to miss the Salāh due to him performing Wudū'.

Number two, they compared it to one who's in fear as well. They said the Salāh of those in fear is conducted in many various ways. Depending on the circumstance of

whoever's in fear. Those in fear perform that special Salāh whichever way they're able to, and that's so they don't miss the timing of the Salāh. Fear is destined to go away. Yet one wasn't ordered to wait for fear to go away, or wait to reach a safe destination, he prays in any of the various forms of Salātul-Khawf (Prayer in times of danger) as he's able to, to avoid missing the timing of the Salāh. And they said likewise here, one shouldn't miss Salāh for Wudū', he can do Tayyamum and make Salāh on time.

They have a third rationale or reason, they said among the benefits and goals of legislating Tayyamum is actually to preserve the timing of the Salāh. How and why? An individual who makes Tayyamum because he has no water, will almost most certainly after that find water. He may find it later on in his journey, or when he's relieved of his circumstance where he has no water available near him. He could have been ordered to wait to reach water and delay the Salāh. But rather he was ordered to perform Salāh on time with Tayyamum and not wait to reach water in the future. They said, likewise the same applies here, one who's about to miss the Salāh for Wudū' should do Tayyamum and spare the Salāh's time. That's the first opinion and their rationales.

The second opinion, what did they say? They said if one wakes up, or remembers Salāh, and he needs to do Ghusl or Wudū', he needs to do them even if he'll miss the timing of the Salāh because Tayyamum is not sufficient for him in such circumstances. The proof is the verse on Tayyamum in the Qur'ān:

فَلَم تَجِدوا ماءً فَتَيَمَّموا صَعيدًا طَيِّبًا

The verse says Tayyamum is for one who's ill, [and] cannot find water. This person who woke up minutes before Salāh, or remembered Salāh at the very end – last of its timing – they said he has water and he doesn't fall under any of the Tayyamum exemptions. He has no excuse, he has water, he's not ill, there's no harm, none of the valid excuses for Tayyamum apply to him. And that actually right there, is the most solid, clear proof on this matter. Second of all they said, or they used the Ahādīth requiring Tahārah (purification) for Wudū'. They said (mentioning the Hadīth):

لاَ يَقْبَلُ اللَّهُ صَلاَةَ أَحَدِكُمْ إِذَا أَحْدَثَ حَتَّى يَتَوَضَّأَ

*In Sahīh Al-Bukhāri the Messenger (صلى الله عليه و سلم) said: Allah does not accept the prayer of any of you who made a Hadath (who voided his Wudū') until they perform Wudū'.*

In another narration in Sahīh Muslim:

لَا تُقْبَلُ صَلَاةُ بِغَيْرِ طُهُورٍ

No Salāh is accepted without Tuhūr, which is Wudū' or Ghusl. They used these general Ahādīth, stating that Salāh must have purification. Tahārah is a prerequisite to Salāh. And Salāh without it is not acceptable. And it must be water when water is available – and there's no excuse, even if the timing lapsed.

Ar-Rājih (الراجح), which is the Fuqahā' terminology meaning the selected or correct opinion. Ar-Rājih here is that one should not do Tayyamum for fear of missing the timing of the Salāh. Why? There is a reason for selecting this opinion. Because the proofs are strong that Wudū' must be done when there is water and while one is able to.

Number two, there's clear exemptions for Tayyamum, in situations of illness or lack of water for example. But there's no clear exemption that we know of, for one to do Tayyamum in order to avoid missing the Salāh.

Third point, Ibn Al-Mundhir said there's an 'Ijmā' that one cannot make Tayyamum for Salāt Al-Jum'ah if water is available in order to avoid missing Salāt Al-Jum'ah. The fourth point, in Sunan An-Nasā'ī the Messenger (صلى الله عليه و سلم) said:

فَإِذَا نَسِيَ أَحَدُكُمْ صَلَاةً أَوْ نَامَ عَنْهَا فَلْيُصَلِّهَا إِذَا ذَكَرَهَا

*If one of you forgets Salāh or sleeps and misses it, he should pray when he remembers it.*

The Hadīth is narrated in different wordings and different narrations throughout the Sunan, and a portion of it is actually in Sahīh Muslim.

When is the timing of Salāh for someone who forgets the Salāh or slept throughout it, if they're not negligent or habitual? That individual has his own special timing for that Salāh. The timing for that person who made the random, unintentional, unhabitual, mistake – is when he remembers it or he wakes up –

فَلْيُصَلِّهَا إِذَا ذَكَرَهَا

*Let him pray it when he remembers it.*

That individual woke up late, five minutes before the Salāh, he needs to do Ghusl if he needs that, or do Wudū'. The Salāh timing for them is different due to his special circumstance and situation. He falls under an exemption. There's an exceptional excuse circumstance for him. The time he remembered or woke up, becomes the timing of that Salāh for him, unlike a person in a normal circumstance. And of course, part of the Salāh is Wudū', so he needs to do the Wudū' before the Salāh. He or she, doesn't need to rush to do Tayyamum to catch the timing of a normal person's Salāh, they can go make Wudū' or shower, then make Salāh – even if the regular timing is missed, because his timing for that Salāh falls under an exceptional circumstance. And let me repeat, that's for someone who's not negligent or habitual.

He makes Wudū' or takes a shower, even if the Salāh timing will be missed, and then proceeds to the Salāh. Now let me note for Talabutul-'Ilm here an important note. We went over many issues – which are called Masā'il – some were short, some were longer. Last week for example we took the Mas'alah, if one is feet away from water but is unable to reach that water due to their health situation. We mentioned, who makes a decision pertaining to one's level of illness – if they're able to do Tayyamum or not. We mentioned the longer Mas'alah on what level of illness permits one to do Tayyamum. Today we took this Mas'alah here, making Tayyamum to avoid missing the timing of the Salāh. In an issue like these, one can take it at a beginner's level. How? Ok, this is the correct opinion, this is Ar-Rājih, this is the selected opinion – he takes that, the opinion that one must do Wudū' or Ghusl for Salāh and cannot miss it. Or replace that

Ghusl and Wudū' by Tayyamum just in order to avoid missing the Salāh. Just taking that conclusion there, that's a beginner – or actually a normal Muslim learning the basics.

A better student of 'Ilm, at an intermediate level, would take the different views or take the selected opinion and the proofs under it or the rationale to support it. A more advanced Tālib 'Ilm would take the Matn, then the various opinions, the reasons for disputes, the proofs, the rebuttals and more. We want to encompass various levels, and you select the level you want to go by.

The next Mas'alah, someone's on a journey, and they have some water. If they perform Wudū', they will not – or most likely they will not have water to drink for the duration of the journey. Or a more contemporary scenario, they cut the water off in the local city, you have bottled water you can use for Wudū' or Ghusl in your house. But that water may be needed to drink and cook with. If one may die or cause himself harm if he makes Wudū' because he will not have enough to drink, then he must save it for Wudū', he must save that water for Wudū' – and if he causes himself harm by doing Ghusl or Wudū' knowing that he will need it to drink then he has committed a prohibited act.

And by 'Ijmā', by consensus, and the 'Ijmā' is related by Ibn Al-Mundhir Ibn Hubayrah and Ibn Hajar – that in such a situation where the water is needed or most likely will be needed for drinking, one should save that water for drinking and do Tayyamum instead of using it for Wudū' and Ghusl.

Another Mas'alah, must Tayyamum be of soil? Ibn Al-Mundhir, and Ibn Hazm, and Ibn Abdil-Barr, and Ibn Rushd, and Al-Qurtubi, and Ibn Taymiyyah and others all said, there's an 'Ijmā' on the permissibility of using soil that has dust to it for Tayyamum. Allah (سبحانه و تعالى) said:

فَتَيَمَّمُوا صَعِيدًا طَيِّبًا

They said the most common, popular meaning of Sa'īd (صَعيد) in the verse that's mentioned pertaining to Tayyamum is soil. And actually, some Ahādīth specifically mentioned soil, some.

وَجعلت تربَتهَا لنا طَهُورًا إِذَا لَمْ نَجِدِ الْمَاءَ

*(And the soil of the earth had been made for us as a means with which to purify ourselves (for prayer), when we cannot find water)*

So soil can be used by 'Ijmā'. But what about Tayyamum with other than soil? And there's three different opinions on this matter. Tayyamum is permissible from everything of the face of this earth, like dirt, soil, rocks, and matters of similar nature. This is the opinion of the Madhhab of the Ahnāf, the Mālikiyyah, and one of the opinions of the Hanābilah. And of the 'Ulamā' who chose this is Ibn Taymiyyah and At-Tabari and Ibn Hazm and Al-'Atā' and Al-'Awzā'ī and Ath-Thawri. They said (صَعيدًا طَيِّبًا) in the verse means whatever is of the natural surface of this earth. And they use some Ahādīth pertaining to Tayyamum, where the term soil was not specifically mentioned for use. The second opinion is that Tayyamum must be with soil, and it has to be soil where the dirt will attach to one's hand, it will stick on one's hand. And this is the opinion of Abu Yūsuf from the Madhhab Al-Ahnāf, some of the Mālikiyyah, some of the Shāfi'īyyah, and some of the Hanābilah. And of the 'Ulamā' who chose this is Dawūd Adh-Dhāhiri, and Ibn Al-Mundhir, and Ibn Hajar. They said the term (صَعيدًا) means soil, and (طَيِّبًا) is a description of Sa'īd – and it's soil, only soil where plants grow. And that's the only type that they said is permissible for Tayyamum. They also said:

فَامسَحوا بِوُجوهِكُم وَأَيديكُم **مِنهُ**

Minh At-Tab'īdīyyah (مِنه التبعيضيه) something from Sa'īd (صَعيدًا) they said, must touch the hands when you hit the earth and it must touch the face and the hands when you wipe them. And they said that's only possible with dirt. They also mentioned some Ahādīth on Tayyamum, some of them specifically used soil as we said.

The third opinion is some Hanafiyyah and some Hanābilah said, Tayyamum is only of soil and sand. Those two only. This specific issue will take at least four classes with no exaggeration, if not more, to mention the proof and analyze them and the rebuttals and the back and forth between the 'Ulamā'. But in summary – Ar-Rājih – the opinion selected is that everything natural of the surface of this earth similar to soil is permissible. Like sand, dirt, rocks, and those that are similar to that – why? Because Sa'īd in the verse,

فَلَم تَجِدوا ماءً فَتَيَمَّموا صَعيدًا طَيِّبًا

The substance mentioned in the verse Sa'īd, according to the Arabic linguistics is not only soil. It includes soil, rocks, and other similar natural elements of the earth. Al-'Awzā'ī (رحمه الله تعالى) said,

الرمل من الصعيد

*Sand is from the soil*

In fact today, it's scientifically described and known that sand is a type of soil. And Allah (سبحانه و تعالى) knows that it was common when they traveled that they went through areas of sand, sometimes of rocks, sometimes of soil – and Allah (سبحانه و تعالى) didn't specify one over the other. In fact the Sahābah during the expedition of Tabūk – the expedition of Al-'Usrā – they traveled through a desert area. And I've traveled that same area from Medina to Tabūk in a car. You will not see anything in sight but sand. They didn't carry with them soil, knowing that their travel is going to be in a desert – and the water that they had was scarce, and they did Tayyamum. And their Tayyamum would've been in sand, which is not specifically soil, which shows that it doesn't necessarily have to be in soil.

The third proof is the Hadīth in Bukhāri and Muslim:

وَجُعِلَتْ لِي اَلْأَرْضُ مَسْجِدًا وَطَهُورًا, فَأَيُّمَا رَجُلٍ أَدْرَكَتْهُ اَلصَّلَاةُ فَلْيُصَلِّ

*Earth has been made for me and my followers a place for praying and something with which to perform Tayyamum.*

They said earth here in the Hadīth includes soil and other than soil. And the rule of Usūl is:

أن تخصيص بعض أنواع العام بالذكر لا يقتدي تخصيصه و إن كان يدل على شرفه

The rule in Usūl is that a Hadīth like that specifies (some of them specific soil), doesn't mean it's only specifically soil. Even though specifying soil gives it priority. Meaning it includes soil, rocks, sand, but since soil is specified, it's given preference and priority. But it's not only soil, it's other matters of the natural elements of the earth as we mentioned.

Okay the next Mas'alah, let's assume someone is in the hospital. They need to do Tayyamum. They couldn't and didn't take with them a bag of soil, nobody could bring it to them. They didn't have a rock, or matters of similar nature to do Tayyamum. It's time for Salāh, they can't get up due to their illness, or their attached for example, to medical equipment. If the wall where they're at is in their reach and it's from the nature of this earth according to Mālikiyyah and Hanafiyyah – one can do Tayyamum off that wall. And what we mean, many of us didn't know this and many haven't seen this because they no longer build like this anymore, when I went to Medina in the late 70's, there were Masājid there and some houses with walls made from mud. You can clearly see they were made of blocks of mud. Those types of walls, one can do Tayyamum off them. But walls of modern construction, not only are they made of various substances, but they're also covered with paint. So assume the present day wall was made of some natural element or substance that we mentioned, they're still covered with paint which is like a barrier to that natural element. One can still do Tayyamum on such a wall if there's dust on that, if there's dust on that paint, then one can do Tayyamum off of that.

With no dust on the hospital wall or surroundings, there's two opinions. Either tap any wall or blanket and do Tayyamum, or one is exempted from Tayyamum altogether and just proceeds right to Salāh. Both are educated Ijtihād of 'Ulamā', both are acceptable. It's a narrow dispute, and any which way you go on such a matter is acceptable inshā'Allāh. And the proof on that is:

فَاتَّقُوا اللَّهَ مَا استَطَعتُم وَاسمَعوا وَأَطيعوا وَأَنفِقوا خَيرًا لِأَنفُسِكُم ۗ وَمَن يوقَ شُحَّ نَفسِهِ فَأُولٰئِكَ هُمُ المفلِحونَ

*So keep your duty to Allah and fear Him as much as you can. (64:16)*

But from this branches off another issue that the 'Ulamā' discussed. This person who couldn't do the proper Wudū' or even the proper Tayyamum due to his condition and what's available, can he go above the other Fard essential Salāh and make other Sunnah Salāhs as well? Can he make Nafl Salāh? Can he do Witr? There's difference of opinion on this, but Ar-Rājih – the selected opinion – is what the Hanābilah said, that one can pray Sunnah and Witr in addition to the Fard Salāh. And Ibn Taymiyyah (رحمه الله تعالى) chose this opinion. They said this person can't be denied from making additional Salāh, in addition to the Fard Salāh – because he performed the Tahārah as best as he can in his situation. The people who said one can only do Fard Salāh with such a Tahārah said that person really isn't on Tahārah. And he should not go beyond what is extremely necessary which is the Fard Salāh. They said because he's basically not even on Tahārah. The response is that denying that one can perform Salāh without Tahārah is when Tahārah is available. This person did all he's supposed to do and all he can do in such a circumstance. If the Fard Salāh was accepted in that type of Tahārah, then the Nafl is the same or even given more precedence in acceptance.

The next Mas'alah, do you need Niyyah for Tayyamum (intention)? All four Madhhabs say you need Niyyah (intention) for Tayyamum. Even Hanafiyyah who dispute Niyyah in Wudū' they agree here that you need it. So Al-Hanafiyyah, Mālikiyyah, Shāfi'īyyah, Al-Hanābilah, and Ibn Hazm said that you need Niyyah for Tayyamum. Ibn Hubayrah in Al-Ifsāh said that there's an 'Ijmā' that one needs Niyyah for Tayyamum. The Hadīth is clear,

إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ،

*Actions are by intentions.*

And they said this is a 'Ibādah (worship), which is purification from impurity, and it needs a Niyyah as well the other verse,

وَما أُمِروا إِلّا لِيَعبُدُوا اللَّهَ مُخلِصينَ لَهُ الدّينَ

*(And they were commanded not, but that they should worship Allah, and worship none but Him alone) 98:5*

They said sincerity is ordered in 'Ibādah and this is a 'Ibādah here. And sincerity is a heart action and it is intention. So you need intention here. The only one I know who said Niyyah is not requested in Tayyamum is Zafar, from the Hanafiyyah, from the Ahnāf, and his reason is the Ahnāf do not request Niyyah in Wudū'. So out of the reset of all the Ahnāf, he said Niyyah is not requested in Tayyamum either. The Madhhab of the Ahnāf distinguishes between the intention of Wudū' and Tayyamum. The overall Madhhab, they request Niyyah in Tayyamum but not in Wudū', except for a few like Zafar. The response to that is that you can't compare and do Qiyās (analogy) of Tayyamum on Wudū', when intention about Wudū' is in itself disputed. Niyyah is required among the majority of the Fuqahā' from the three Madhāhib – Mālikiyyah, Shāfi'īyyah, and Hanābilah. They request Niyyah for Wudū'. The Ahnāf (the Madhhab) doesn't request Niyyah for Wudū', so you can't do Qiyās (analogy) upon a disputed matter as a principle of 'Usūl. There are also differences between Wudū' and Tayyamum, and they can't be compared in such a matter, but that is lengthy and we don't want to get into it right now.

Next Mas'alah, how is Tayyamum performed? What parts do you wipe? Wiping of the face and hands is an obligation (Fard) of Tayyamum. Because the verse is clear:

فَلَم تَجِدوا ماءً فَتَيَمَّموا صَعيدًا طَيِّبًا فَامسَحوا بِوُجوهِكُم وَأَيديكُم مِنهُ

And there's many Ahādīth on that, but the verse is extremely clear. And there's an 'Ijmā' related by Ibn Hazm, and Ibn Qudāmah, and An-Nawawi, and Ibn Rajb, and others on that matter. The proper way to do Tayyamum is to strike the ground with the palms, strike the sand, soil, or whatever's acceptable from that which we mentioned,

and we made the Tarjīh on, and then wipe the face and the hands one time. That's the Madhhab of the Hanābilah and Ibn Al-Mundhir, and Ash-Shawkāni and Ash-Shinqīti. The verse is clear:

فَلَم تَجِدوا ماءً فَتَيَمَّموا صَعيدًا طَيِّبًا فَامسَحوا بِوُجوهِكُم وَأَيديكُم مِنهُ

And one of the Ahādīth on that:

إِنَّمَا كَانَ يَكْفِيكَ هَكَذَا فَضَرَبَ النَّبِيُّ صَلَّى الله عَلَيْهِ وَسلم بكفيه الأَرْض وَنفخ فيهمَا ثمَّ مسح بهما وَجْهَهُ وَكَفَّيْهِ

*In Sahīh Bukhāri the Messenger (صلى الله عليه و سلم) said, it would have been sufficient for you to do like this, and the Prophet (صلى الله عليه و سلم) struck the earth lightly with his hands and blew off the dust then passed his hands over his face and then his hands.*

All four Madhāhib, and possibly an 'Ijmā', indicate that Tayyamum must encompass the entire face and the hands, Allah (سبحانه و تعالى) said:

فَامسَحوا بِوُجوهِكُم وَأَيديكُم

They must encompass the hands and face fully, like when you do Wudū'. They said, Tayyamum takes the place of Wudū'. In Wudū', one must encompass the parts specifically mentioned, fully. And Tayyamum takes the place of Wudū', and whatever takes the place of Wudū' takes the rulings of Wudū'. Which means one must encompass the entire hands and face when wiping them for Tayyamum. In Wudū' you have to wash everything of the face and hands, for example. And Tayyamum must encompass the entire face and hands.

The next Mas'alah, is the order of the face and hands significant? If you look at both of the verses about Tayyamum in the Qur'ān in Surat Al-Mā'idah and in Surat An-Nisā',

فَلَم تَجِدوا ماءً فَتَيَمَّموا صَعيدًا طَيِّبًا فَامسَحوا بِوُجوهِكُم وَأَيديكُم

That's in Surat Nisā', in Surat Al-Mā'idah,

فَلَم تَجِدوا ماءً فَتَيَمَّموا صَعيدًا طَيِّبًا فَامسَحوا بِوُجوهِكُم وَأَيديكُم مِنهُ

Allah mentioned the face and the hands in those two verses and in other Ahādīth, so we should go by that order.

The next Mas'alah, Muwalāt (succession). Al-Muwalāt is a term in Fiqh that means not to leave a gap or a pause between the acts of 'Ibādah – more particularly for us here in Wudū' and Tayyamum. The standard for Muwalāt and Wudū' is not to leave a gap long enough to let your Wudū' parts dry before going to the next.

In Tayyamum and in using soil, there's no liquid, so how is that level of Muwalāt measured – how is it determined? In Tayyamum they said Muwalāt is measured by not leaving a delay in wiping the next part in equivalent of it not drying in Wudū' if you were to wash it. Meaning, guestimate how long it would be before a body part dries, it depends whether it's sunny or not. Few minutes or so, anything above that would be breaking the Muwalāt in Tayyamum as well.

The 'Ulamā' dispute if its Sunnah or Fard in Tayyamum – is it Sunnah or Fard in Tayyamum? The first opinion is Muwalāt is Sunnah, and that's the Madhhab of the Ahnāf, the Shāfi'īyyah, and the Hanābilah. And their proof is Qiyās, analogy to Wudū'. They said Muwalāt is a condition to Wudū', and Tayyamum is the replacement of Wudū', and it follows in that it adopts its rulings – the rulings of Wudū'. **The replacement takes the ruling of what it replaced.** The replacement is Tayyamum, it

takes the ruling of what it replaced which is Wudū'. Wudū' needs Muwalāt so Tayyamum needs Muwalāt as well.

The second opinion said Muwalāt is a Fard, a Wājib. And that's the Madhhab of the Mālikiyyah, some of the Hanābilah, and Ash-Shāfi'ī in his old Madhhab, and they use the same reasoning except they said it's Wājib. Both opinions are very close and very close and similar, one says its Sunnah one says it's Wājib, probably the second might be a little bit closer to being the Rājih.

At-Tasmiyah Fi-At-Tayammum. Tasmiyah is saying Bismi-Allah (In the name of Allah) before Tayyamum, and it's recommended according to the 'Ulamā' before Tayyamum. And this is the opinion of the Hanafiyyah, Shāfi'īyyah, and one of two opinions of the Hanābilah. And one of two opinions of the Mālikiyyah. They said in Sahīh Bukhāri, the Messenger (صلى الله عليه و سلم) said,

لو أن أحدكم إذا أتى أهله قال: بسم الله،

*If any of you are about to have sexual relationship with their wives they should say Bismi-Allah before that…*

They said Bismi-Allah is generally recommended before Wudū' and 'Ibadāt if it's recommended prior to sexual relationship. Bukhāri has a chapter on saying Bismi-Allah in all situations, and even before relationship – meaning before sexual relationship. They said, the most unusual or furthest time you would imagine to say Bismi-Allah is before a sexual relationship, yet it's recommended before such an act. So that means it should be mentioned before 'Ibadāt like Tayyamum as well.

Some 'Ulamā' also said it's Sunnah for Wudū' so that means it's also Sunnah for the replacement of Wudū', which is Tayyamum.

The next Mas'alah, one is recommended to start with his right hand in Tayyamum. The Hadīth that's agreed upon in Bukhāri and Muslim is:

ثُمَّ مَسَحَ اَلشِّمَالَ عَلَى اَلْيَمِينِ,

وَظَاهِرَ كَفَّيْهِ وَوَجْهَهُ

*(…then he wiped the right hand with the left one, and the outside of the palms of his hands and his face.)*

The next Mas'alah, is should one blow the dust off his hands, after he strikes the soil or dirt according to the Hanafiyyah, Mālikiyyah, and Ash-Shāfi'ī in his old Madhhab and one of two opinions of Imām Ahmad, is one should lessen the dirt that attaches to the hands after striking the soil by blowing in the hands after he strikes the earth. According to Hanābilah and Shāfi'īyyah it's only if the soil that sticks the hand is a lot, and if it's not a lot, or you blow it all away – one should not do that. There's a clear Hadīth on blowing after hitting the earth, and that's the Hadīth that we mentioned earlier,

إِنَّمَا كَانَ يَكْفِيكَ هَكَذَا فَضَرَبَ النَّبِيُّ صَلَّى الله عَلَيْهِ وَسلم بكفيه الأَرْض وَنفخ فيهمَا ثمَّ مسح بهما وَجْهَهُ وَكَفَّيْهِ

*In Sahīh Bukhāri, it would have been sufficient for you to do like this, and the Prophet (صلى الله عليه و سلم) struck the earth lightly with his hands and blew off the dust then passed his hands over his face and then his hands.*

The second opinion is that it's disliked to blow the soil off the hands, and that's one of the two opinions by Imām Ahmad Ibn Hanbal (رحمه الله تعالى), their proof is that Ibn 'Umar, when he did Tayyamum he didn't blow in his hands after he struck the Earth. The Rājih, or the selected opinion, is that it's permissible or even Mustahab (recommended) to blow in the hands because of the Hadīth and because lessening the soil spares the face from excessive dirt sticking on it. As to the narration of Ibn 'Umar (رضي الله عنهما) if it's authentic and it's in Musanaf Abdul-Razzāq – it's Mawqūf, meaning it's the action of a Sahābi (رضي الله تعالى عنه), and there's a clear authentic Hadīth that the Messenger (صلى الله عليه و سلم) blew in his hands after striking the earth. So the act of the Messenger (صلى الله عليه و سلم) and the authentic Hadīth is given precedence over the act of a Sahābi – that's if it's even authentic.

و صلى الله على سيدنا محمد و على آله و صحبه و سلم